

**United States Court of Appeals**  
**For the Eighth Circuit**

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No. 15-2959

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John W. McGee

*Plaintiff - Appellant*

v.

Kevin D. Lindsey, Chief of Police, Fort Smith, Police Department; Detective  
Michael McCoy; Officer Josh Mixon; Officer Gary Hulsey

*Defendants - Appellees*

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Appeal from United States District Court  
for the Western District of Arkansas - Ft. Smith

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Submitted: January 26, 2016  
Filed: January 29, 2016  
[Unpublished]

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Before BENTON, BOWMAN, and KELLY, Circuit Judges.

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PER CURIAM.

John McGee appeals after the District Court<sup>1</sup> granted summary judgment to the defendants in McGee's 42 U.S.C. § 1983 action claiming that he was unlawfully arrested. After de novo review, we conclude that the grant of summary judgment was proper because the evidence in the record, viewed in the light most favorable to McGee, and all reasonable inferences in McGee's favor to be drawn therefrom establish beyond genuine dispute that his arrest was not unlawful. See Laganiere v. Cty. of Olmsted, 772 F.3d 1114, 1116 (8th Cir. 2014) (standard of review); see also Fisher v. Wal-Mart Stores, Inc., 619 F.3d 811, 816 (8th Cir. 2010) (discussing warrantless arrests under the Fourth Amendment standard). Accordingly, we affirm.

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<sup>1</sup>The Honorable Mark E. Ford, United States Magistrate Judge for the Western District of Arkansas, to whom the case was referred for final disposition by consent of the parties under 28 U.S.C. § 636(c).